THE LAW'S DELAYS.

Troubles That the People Groan and Sweat Under.

OUR JUDGES AND JURORS.

Both Are Charged With More or Less Shortcomings.

REMEDIES SUGGESTED.

Opinions of Prominent Lawyers as to Reforms Needed—Continuances, Writs of Error, Etc., Discussed.

The following letters are given in continuation of the enquiry of the Dispatch "as to the foundation for the widespread belief that there is great tardiness in enforcing the law against criminals, and that the ends of justice are often defeated by convictions which are reversed by appellate courts upon trivial technicalities." Also, "if legislation on this subject is necessary, and if so, what?"

C. E. NICOL, ESQ.

Too Many Continuances and Too Many Jury Exemptions.

The criminal laws of Virginia are excellent, and will compare favorably with those of any State. They are not perfectly administered, which, of course, is not to be expected. However, they are not even reasonably well executed, and this is the foundation for the belief to which you refer. The reason of their defective execution is:

1. The county and corporation courts have original jurisdiction in all criminal cases, and yet the county courts are presided over by judges who receive a mere pittance. The salary does not command adequate talent, and errors are committed which any appellate court is compelled to correct on appeal. This results in new trial and delay. In some counties in Virginia the county courts are presided over by men of high order of ability, notwithstanding the small salary, but they are the exceptions.

TOO MANY CONTINUANCES.

2. There is too great facility in obtaining continuances. The accused should be granted one continuance for good cause. After that no continuance should be granted from term to term, but only for imperative cause to some day during the term.

3. There are too many exemptions from jury service. The best men shun jury service, and then complain of the administration of the law.

LEGISLATION RECOMMENDED.

Replying to your inquiry "What legislation, in my opinion, is necessary, and if so, what?" would say that I think—

1. Most, if not all, exemptions from jury service should be repealed.

2. All juries should be drawn from the body of the people. No court should be allowed to order a jury from the bystanders. Among the bystanders may be many excellent men, but the "professional juror" is apt to slip on in some way.

3. To avoid mob law no appeal should be allowed from the judgment of the County Court in cases of rape or attempted rape.

QUICK APPEALS.

4. When an appeal is taken to the Circuit Court, it should be heard and decided within thirty days by the court or judge in vacation.

5. When an appeal is taken to the Supreme Court of Appeals, it should be heard and decided within sixty days.

6. No continuance but one should be granted to the Commonwealth or accused, but during the term in which the case must be tried the whole power of the court, if necessary, should be exhausted to compel the attendance of any material witnesses. When it is definitely known the case will be tried both sides will be ready.

C. E. NICOL.

Manassas, Va., October 19, 1893.

CHARLES M. BLACKFORD, ESQ.

He Thinks That No Further Legislation is Necessary.

LYNCHBURG, VA., October, 18, 1893.

To the Editor of the Dispatch:

Yours of the 10th instant, addressed to the firm of Kirkpatrick & Blackford, is at hand. Major Kirkpatrick is not in the city, so I reply in my own name, although I know he agrees with the views I express in response to your inquiries.

My opinion is that no further legislation is necessary. The criminal laws were carefully amended shortly before the Code of 1887, and were again reviewed by the able revisers of that code. A better system cannot be found anywhere. Crimes are accurately described, technical rules are modified, and yet every safeguard is maintained necessary to secure a fair trial to the accused.

SPEED AND JUSTICE.

My observation, which is quite extensive both as to time and territory, forces me to the opinion that, as a rule, speedy justice is meted in our criminal courts, varying in speed and character with the skill and industry of the respective judges and attorneys for the Commonwealth, who are called upon to administer it.

It is very desirable that there should be speed in the action of criminal courts, but it is more desirable that there should be justice. To secure both requires skill and conscientious discretion.

I have seen nothing in the reported opinions of the Court of Appeals, which justifies the charge that by its action "justice is often defeated upon trivial technicalities." The effort on the part of the trial courts to be speedy often causes them to overlook those formalities in the selection of juries and other preliminary steps of a trial, which are essential to the protection of the citizen, and to the preservation of justice. The neglect of these formalities in the trial court in most cases works no real injury to the accused, but an appelate court, which has to lay down the general principles of the law and create a precedent, is constrained to see to it that such formalities are strictly enforced.

NECESSARY FORMALITIES.

The formalities protect the life and liberty of the citizen against prejudice and partisan bias, and such was the object of their institution. It therefore becomes the duty of the Court of Appeals to establish precedents which will maintain that object, even though in some particular case its ruling my appear technical, and in that case may even obstruct. These formalities protect the life and the end of justice. Those of us who noted the course of justice during the times of reconstruction know the importance of protecting the jury-box and give willing assent to every decision which secures its safety and places the selection of a jury beyond the possible reach of either a partisan or corrupt judge or sheriff.

Very truly yours,

CHARLES M. BLACKFORD.

JOHN E. PENN, ESQ.

Law Reform Well Enough in Theory, But Delusive in Practice.

ROANOKE, VA., October 21, 1893.

To the Editor of the Dispatch:

I beg to say that the questions propounded deserve and should receive the careful consideration of our people, and especially of all in authority. Your attention has doubtless been directed to the subject by the recent lynchings in Roanoke city and Amelia county.

The foundation for this widespread belief is the fact too well established to admit of doubt, that great tardiness does exist in enforcing the criminal laws. What causes this tardiness? Is the evil in the laws or in their administration? I am forced to the conclusion [illegible] is the latter.

In all cities and counties of [illegible] courts are held monthly, at any [illegible] which criminals may be indicted [illegible] tried. If the court should be in session when an offence is committed, the offender can be indicted and tried at the same term. Not more than four weeks need elapse between the commission of an act and the trial of the offender, and in most cases not more than ten days, as the courts in the cities and larger counties are in session from two to three weeks in every month.

CONFUSED LAWS.

It would be difficult to provide machinery that would afford more speedy trials. The tardiness in enforcing the law results from its administration, and not from defects in the law.

The second point in your inquiry is that the ends of justice are often defeated by appellate courts upon trivial technicalities. If this be true can any remedy be afforded by legislation? The great evil of the day is the frequent change of our statute law. Sir Edward Coke once said, "If I am asked a question of common law, I should be ashamed if I could not answer it immediately, but if I am asked a question of statute law, I should be ashamed to answer it without referring to the statute book." So frequent have been the changes of our statute laws that a Sir Edward Coke, if we had one at this day, might hesitate to answer after a reference to the books. New laws have been made to expound the old; new difficulties have arisen under the new laws; as words are multiplied opportunities for cavilling are multiplied also; confusion has increased, the web thickens, until the judges upon the bench dispute amongst themselves as to what the law was, or is, or ought to be.

The remedy does not lie in a change of the laws, but in their enforcement by courts and juries. Law reform is well enough in theory, but delusive in practice. Frequent efforts have been made by our legislators to simplify criminal pleadings and to prescribe what shall not vitiate an indictment, or for what cause a judgment shall not be arrested or reversed, and these very statutes have been oftener matters of controversy than any others in the books.

WHEELS OF JUSTICE LOCKED.

To illustrate, one statute—No. 3999—of the Code, prescribing what defects in indictments shall not vitiate them, and starting out with these plain words: "No indictment or other accusation shall be quashed or deemed invalid for omitting," etc., has been construed and gravely passed upon in our Supreme Court of Appeals more than twenty-five times; more than twenty-five times have convicted criminals locked the wheels of justice by a writ of error to the Supreme Court of Appeals under that one statute.

How often this benign effort at simplification has been construed and misconstrued in the county, hustings, and circuit courts no man can number, and how often it has retarded the enforcement of criminal laws will never be known.

Other statutes in reference to the irregularities in the selection and formation of grand juries and venires have been fruitful sources of contention and review by the courts.

THE THING NEEDED.

In other words, Mr. Editor, the reform which is needed is in the administration of the criminal laws rather than in the laws themselves. Of the law it has been well said, "What e'er is best administered is best."

The difficulty in Virginia has been and is a cheap judiciary. I would not reflect on the judges, many of whom adorn the bench with learning, purity, and wisdom, but the best of them may at times be so harassed with pecuniary difficulties as to partially unfit them for an intelligent discharge of their duties. The judge of any court should be the equal, if not the superior of the lawyers who practice before him. As a general rule such acquirements can not be had for the small salaries which the State ekes out to them.

JUDGES' PAY.

If the pay of our judiciary is compared with that of other States, it will be found far below the average. This should not be so. The next Legislature before electing the judges for the circuits, corporations, and court of appeals, should double the salaries now paid, and then fill the positions with fearless and competent men, who can give intelligent decisions upon legal questions as they may arise in the trial court with promptness and dispatch.

Closely allied with the office of judge is that of attorneys for the Commonwealth. These officers should also be paid at least double what they are now receiving, so that the best equipped lawyers in the several counties and cities may make the speedy execution of the criminal laws worthy of their learning and ability.

I well know that this will not be popular with the tax-payers as a scheme of reform, but, in my opinion, it is a correct one.

CHEAP JUSTICE COSTLY.

A cheap judiciary is the most costly luxury the people of a State ever indulged in. It is not in accordance with business principles. Railroads, banks, and other corporations pay adequate compensation, and get their money's worth in the service of persons who have peculiar fitness and skill in each particular branch of service required. The State pays the county judges less than the pay of a second-rate clerk in a boot and shoe store. The cashiers in our banks receive more than the salaries of our circuit judges, and the salaries of corporation attorneys is double that of the judges of the Supreme Court.

Very respectfully yours,

JOHN E. PENN.

MICAJAH WOODS, ESQ.

Need of Stenographers to Take Down Evidence, Etc., Etc.

CHARLOTTESVILLE, VA., Oct. 20th.

To the Editor of the Dispatch:

In reply to yours of recent date I have to say: The present statutes of Virginia providing for the trial of criminals are in the main wise, and if conscientiously and intelligently enforced by the officers and the courts would insure speedy and fair trials.

The troubles are:

1. Owing to the very meagre compensation allowed to attorneys for the Commonwealth in many counties, able and trained lawyers will not seek the place, and in some instances will not serve. The result is that some—yes, many—of the prosecuting officers, while good men, are not able to cope successfuly with the talent and learning pitted against them in important trials. Hence while a great crime is committed, abhorrent to the community, the people feel uneasy as to the result of regular trial, and are inclined to take the law into their own hands.

2. It is a notorious fact that the higher courts are very prone to set aside verdicts of the county courts on appeals in cases of importance.

DELAY ON APPEALS.

In fact, if the accused is able to employ able counsel, he can in nearly every case safely expect to have his case suspended for months or even longer—sometimes a year or more by urging an appeal—and too often the appeal results in a reversal of the judgment of the lower court on a mere technicality, or because the appellate judge on recalling the evidence (which is nearly always imperfectly certified under the management of the counsel for defence, who generally write up the exceptions and evidence for the lower judge's approval) reaches a conclusion different from the jury and the trial judge, who have heard the evidence, seen the witnesses, and heard the argument.

AMENDMENTS NEEDED.

A knowledge of the fact that a trial of an important case in the lower court—and a verdict is not likely to be conclusive—that great delays and sometimes subversions of the ends of justice in the higher courts always nearly follow, begets among the people contempt for the criminal administration and incites them to lynch law and all its horrible concomitants.

The remedies are:

1. The enactment of a law forbidding an appellate judge to set aside any verdict in a criminal case on account of any technical irregularity in the pleadings or in the rulings of the trial judge, if on inspection of the whole case he finds that substantial justice has been done.

2. The enactment of a law forbidding an appellate judge to set aside any verdict on the ground that the verdict is contrary to the evidence, unless he is satisfied that gross injustice has been done and that the verdict is plainly contrary to the evidence.

As I said before, the evidence is nearly always gotten up by counsel for the defence. They are naturally prone to ignore or tone down the evidence for the prosecution on vital points. To correct their version of the evidence frequently involves great labor on the Commonwealth's attorney, and acrimonious disputes, often resulting in tempering the record favorably for the accused. This is nearly alw[illegible] appellate co[illegible] for [illegible] to suit the [illegible] for the defence. In many [illegible] cases, where the evidence is absolutely conclusive, the certificate of it as prepared by the defence would scarcely raise a suspicion of guilt. To modify and correct it throws upon the prosecuting officer and the court immense labor, and this work of correction is often imperfectly performed. I have had in some cases to rewrite entirely from thirty to fifty pages of evidence as furnished by the defence, finding it impossible to correct their manuscript.

3. This shows the importance of a law authorizing the employment by the State of stenographers to take down the evidence officially in all cases of murder, rape, arson, and other cases of felony, where, in the opinion certified of the judge and attorney for the Commonwealth, such employment is deemed necessary and proper. My opinion is that this would save thousands to the State every year and go far towards preventing appeals and the reversal of verdicts on appeals. The public would gain new confidence in the administration of the criminal laws.

These opinions are given as the result of twenty-three years of continuous experience as attorney for the Commonwealth in Albemarle, one of the largest and most populous counties in the State.

Respectfully yours,

MICAJAH WOODS.

C. HATTON, ESQ.

Scarcely Possible for Appellate Courts to Defeat Justice on Technicalities.

"All look up with reverential awe,
At crimes that 'scape or triumph o'er the law."

The idea conveyed in the above couplet is as pertinent to-day as when Pope so aptly expressed it; and when Shakespeare made Hamlet number "the law's delay" among "the ills we have," he set an example which, though no longer applicable to existing conditions, is now being followed by many who should be better informed.

I am not one of those who believe that in this Commonwealth there is undue tardiness in enforcing the criminal laws or that the ends of justice are often defeated by the appellate courts upon trivial technicalities. I speak generally, because, as to the trial of certain minor offences, I have in mind delays which must continue until the interpretation which the Court of Appeals (in the case of Miller vs. the Commonwealth) has placed upon the statute giving criminal jurisdiction to justices of the peace, can be met by a proper constitutional amendment and legislation in accordance therewith.

CAUTION NECESSARY.

Among all people possessed of the Anglo-Saxon love of liberty and deriving their system of jurisprudence from the common law of England, it is deemed wise to give the benefit of all reasonable doubts to the accused; and to have the trial for crime so regulated that it will be necessary for the accused to be specifically informed of the precise offence charged and accorded a reasonable time to prepare his defence. And inasmuch as laws are made to apply to extraordinary as well as ordinary circumstances, it is necessary that they should be sufficiently broad in these respects to avoid working an injury when applied to extraordinary circumstances, even though these same laws may appear somewhat lax when only applied to ordinary conditions.

CRIMINAL CAUSES.

Our laws provide for the prompt trial of criminal causes. Regular grand juries must be had twice a year, and special grand juries, with equal powers, may be had at any time. The county and corporation courts are the chief courts of original criminal jurisdiction; they hold monthly terms, and criminal cases may be tried at any term, so that no more than a month need elapse between the indictment and trial, unless, in the counties when charged with a capital offence, the accused elects to be tried in the Circuit Court, which only meets once in six months, and therefore the trial may be deferred for that period.

THE RIGHT OF ELECTION.

The provision of the law permitting this election should be repealed, as the prisoner can always have an appeal to the Circuit Court. Another provision which might likewise be repealed, to prevent delay, is that which limits the session of the county courts to fifteen days. Upon the subject of tardiness it is proper to add that in our Court of Appeals, by Rule XVII., criminal cases take precedence over all other cases on the docket.

As to the second branch of your inquiry, I have to say that under the provisions of our Code (sections 3985 and 3993 to 4000) it is scarcely possible for our appellate courts to defeat justice upon trivial technicalities, and a careful examination of the reports of the cases decided by our highest appellate court during recent years will disclose, even to a layman, cogent and convincing reasons for the court's action in all cases decided in favor of the accused.

G. HATTON.

R. H. LOGAN, ESQ.

The Right of Election—Owners of Grist-Mills as Grand Jurors.

SALEM, VA., October 18, 1893.

To the Editor of the Dispatch:

The delays of the law both in civil and criminal law have been the fruitful subject of complaint, since the time whereof "the memory of man runneth not to the contrary." There has been but little complaint in this county (Roanoke) so far as I have heard. When a crime that shocks the feelings of the entire community, such as murder, rape, or arson, is committed, the public naturally looks more to the crime than to the evidence against the person accused of the crime, whilst the counsel for the defence must look only to the evidence against his client and use his best endeavors to collect all evidence in his behalf.

CONTINUANCES.

It may be in some places too much time is given for preparation for the defence and courts may be too lenient in granting continuances and not strict enough in forcing the accused in being active in preparing for his trial, but from my observation I would say that the courts in which I practice are in this respect more exacting in criminal than civil cases. Under the law our county courts have exclusive original jurisdiction for the trial of all criminal offences except when capital punishment may be inflicted, when the accused may, on arraignment, elect to be tried before the Circuit Court. These courts meet monthly, so that a continuance will be of short duration; again the Statute, Code of 1887, section 4016, says that the accused shall be arraigned and tried at the same term at which he is indicted unless good cause be shown for a continuance.

THE RIGHT OF ELECTION.

I cannot see that legislation is necessary to hasten these trials, except the statute giving the accused, in offences where the death penalty may be inflicted, a right to elect to be tried before the Circuit Court should be repealed. Most of the Circuit Courts have but two terms a year; should a continuance be granted it would delay the case for six months each time it is so continued.

Our county judges are fair lawyers, the Constitution requires them to be learned in the law, and having to deal mostly with criminal cases, they naturally make criminal law their chief study, and thus become specialists in that branch of the profession. I see no reason why the accused could not have as fair a trial before the County Courts as before the Circuit, especially as they have the right of appeal to the Circuit Court.

It may be well so to amend the law as to require less formality in the return of officers summoning a venire, so that if it appears that it was summoned by an officer authorized by law to summon, it should be good, especially after verdict, and all objections to the summons and return should be made before trial or not at all.

OWNERS OF GRIST-MILLS.

I see no reason why owners and occupiers of a grist-mill should be excluded from being grand jurors. I have never known one to be indicted for violating the law in reference to tolls, &c., yet a few years ago more than one hundred indictments for violating the revenue laws (selling whiskey without license) were dismissed because one member of the grand jury, which after several days laborious investigation found the indictments, was the owner of a small share in a grist-mill.

I think these and a few other matters may be proper subjects of legislation, taking care always to give the accused every necessary facility for as vigorous a defence as he can make, and insure him a fair and an impartial trial before a fair and impartial jury.

WILLIAM H. WHITE, ESQ.

Too Many Exemptions From Jury Service—Underpaid Judges.

NORFOLK, VA., October 23, 1893.

To the Editor of the Dispatch:

Your inquiry assumes that there is a widespread belief that the criminal laws of the State are defeated by delays and technicalities.

I am constrained to think that such a belief arises from the administration of the law in the country regions rather than in the cities of the State. At least my own observation does not bear out such an assumption as to our cities. In the latter the criminal jurisprudence of the Commonwealth is, in my judgment, administered with as much dispatch and judicial ability as at any previous period in our history.

The only improvement I could suggest would be a repeal of the statute which allows so many exemptions from jury service, conspicuously that provision which exempts contributing members of our volunteer military companies. The effort to foster the martial spirit in this respect has seriously lowered the general character of our city juries. Many excellent men avail themselves of the justification given them by this legislative device to avoid the very highest duty of citizenship.

The jury in Virginia, being, in theory at least, judges of the law and the evidence in criminal cases, everything which tends to lower the standard of jurymen should be unhesitatingly abated.

With this improvement I think our system of criminal laws and their administration in the cities will as nearly approach perfection as human institutions can.

TRIVIAL TECHNICALITIES.

It is doubtless true that there is ground for the widespread belief in the country sections, although I do not think any foundation can be found for it in the conduct of "appellate courts."

Those courts are not characterized by a too ready acquiescence in, or respect for, technicalities, trivial or otherwise.

Much that the public may term "trivial technicalities" will be found to contain some of the most cherished safeguards of human rights.

The true ground for the belief is found in the fact that the superior legal talent of the State is at the bar, rather than on the bench.

In every department of human activity the best results are found to flow only from the employment of the most proficient, skilful, and approved agencies, which necessarily means the best paid agencies. So true is this that any private enterprise that ignored it would inevitably come to grief.

UNDERPAID JUDGES.

Strange as it may seem, the State of Virginia has acted in disregard of this truism by providing a wretchedly underpaid judiciary.

While every intelligent individual and corporation seeks the services of the ablest lawyers they can procure, and finds it profitable to compensate them in a manner commensurate with their ability and mode of living, on the other hand the State pursues an opposite course. To such attorneys as may administer her laws she offers a compensation inferior, in the case of every county judge, to that received by most clerks in country stores, and in the case of the circuit judges a sum less than most book-keepers command. Is it a legitimate source of surprise that such a policy results in dissatisfaction?

With a judiciary selected from the best talent at the bar and paid as well to serve the State as to serve individuals, the public would then realize that the criminal jurisprudence of Virginia needs little other revision.

WILLIAM H. WHITE.

ALEXANDER HAMILTON, ESQ.

The Serious Evil in Connection With Our Criminals Is the Expense.

PETERSBURG, VA., Oct. 19, 1893.

To the Editor of the Dispatch.

I have comparatively little to do with criminal practice—as little as I can—but my experience and observation in this part of the State is that there is no tardiness in enforcing the law against criminals. On the contrary, in this part of the State they are very promptly tried. Occasionally in some very serious case there is considerable time which elapses between the commission of a crime and the trial of a prisoner, or his final conviction, especially if appeals are taken in the latter case to the upper courts, but I do not see how this can possibly be avoided, because these delays are usually due to the absence of witnesses, and on appeals to the technical questions raised by counsel for the prisoner.

TECHNICAL QUESTIONS.

I am not prepared to say that these questions called "technical" do not involve substance and merit; on the contrary, so far as I am able to judge, they involve no more than the prisoner is entitled to.

Appeals in criminal cases, both in the Circuit Court and the Court of Appeals, are promptly tried, according to my observation. It is therefore my opinion that legislation on this subject is not necessary.

The very serious evil in connection with the criminal business of the State, which should be corrected, in my opinion, is the expense, and it seems to me that there is great room for reform and improvement in this direction. But you do not ask my opinion about that, so I will not extend this letter by further reference to it.

Truly yours,

ALEXANDER HAMILTON.

The Law's Delay.

RICHMOND, October 23, 1893.

To the Editor of the Dispatch.

I have read to-day carefully the able legal opinions in your Sunday's issue in regard to the "law's delay."

The majority for a new constitution is, I think, apparent in order to make a thorough change in our criminal law and other laws also. You have heretofore favored a new constitution, I believe.

Let the next Legislature appoint a committee of two from each Congressional district (one a lawyer) with authority to frame a new constitution, their report to be made public one month before the meeting of the convention to act upon it. This would give time for the free discussion in the newspapers of the change proposed by the committee. Let the discussion in the convention be limited also to thirty days, if possible. Let this thirty days precede the regular meeting of the Legislature's special session (if the body shall meet as now) so that new laws may be passed to carry out the new constitution, and then Virginia will, in less than two years, be really a new State under her own laws, and not as now, under a carpet-bag constitution.

Very respectfully, W. W. P.

Too Many Railroad Accidents.

To the Editor of the Dispatch.

While you are finding out the best remedy for lynch law, you can also do something towards stopping, or at least lessening railroad accidents. It is true we have been fortunate in this State this year in not having any very serious accidents, as far as life is concerned, nevertheless our railroad trains are managed about the same as those on the Chicago road, in which the terrible collision occurred at Battle Creek, Mich., of which the Dispatch gave an account on the 21st instant, when twenty-six were killed and as many more injured, and the cause of this great loss of life was a misunderstanding of orders by the engineer, so said the conductor. But really it seems the cause was forgetfulness by both the engineer and conductor, otherwise the conductor would have stopped his train when the passing point was reached. Special telegraphic instructions are given alike to both engineer and conductor, and the rule, without exception, is that the message is to be read and signed by the engineer and conductor, and then repeated to the train dispatcher before they are in force. These messages rarely contain more than fifteen to twenty words, and are so plain that he who "runs may read" and understand. Hence, nearly all these failures to execute instructions are due to forgetfulness instead of misunderstanding. What then shall be done to quicken the memories of engineers and conductors?

There is on every train a fireman and one to three brakemen, and passenger trains have a baggage-master. Each of these employees is provided with a copy of the time-table, with which all are required to familiarize themselves, and occasionally examinations are made to test the information these men have of the running of trains. Now suppose each brakeman, fireman, &c., were furnished with a copy of all special telegraphic orders for the running of trains, surely four or five men are not so apt to forget or misunderstand a message of a few words as two men are. This arrangement need not give in the least any additional power to these men or reduce the responsibility of any others. Hence, there would not be any clash of authority, and self-preservation would be sufficient to keep in the mind of one man, at least, the "passing point" and make it known to others. The present duties of firemen, brakemen, and baggage-masters are scarcely more than mechanical, although they are being trained to take the places of engineers and conductors when vacancies occur. The proposed plan would give them something on which to exercise their minds, and as "there is safety in a multitude of counsel," this looks like worth trying to a railroad man in the country.

Not a Feminine Error.

(Puck.)

May Sayit: Three fourths of her acquaintances take her to be five years younger than she is.

Jack Askit: Do you mean to say that only one fourth of her acquaintances are women?

A Sure Sign.

(Judge.)

First Burglar (hearing the policeman's club on the next block): I say, Bill, we're goin' to have hot weather.

Second Burglar: How do you know?

First Burglar: Don't you hear the locust?

CHAPTER FOR BRIDES

SOME VERY SEASONABLE AND SENSIBLE SUGGESTIONS.

A Tin Wedding—Pretty Birthday Party Hallow-E'en Tea—The German Clubs—Society Personals.

From the time a girl learns in the primer that M stands for M A N, there is an instinctive impression which never leaves her, but grows with her growth, that one day in her life she will possess or be possessed by one, and her ideas on this subject are never very clear as to which is or will be the case An American girl approaches marriage with a certain sense of claiming her rights. She may not have distinctly in her mind that she is wronged, but she puts herself unconsciously into a fencing attitude; and her first quarrel with her husband will probably be to show that nobody can "lord it" over her.

The American wife, too, is always ambitious; this may be set down as a certainty by the man who marries her. She expects him to be somebody, if for no better reason than that he is her husband. Women are all alike in this, and to stimulate those who seem unresponsive in this important particular they resort to all sorts of amiable devices. No married woman has failed at some time to remind her husband what she gave up in taking him for better or for worse. She cannot help intimating that she might have pursued some other course, and pictures the glowing consequences of such a choice. This is trenching upon dangerous ground, however, for man is but mortal for all he is given such a high place in the universe and the primer, and the most natural reply to such goading will be almost sure, "Pity you hadn't taken the other chance."

WHOSE FAULT IS IT?

We are all acquainted with the young wife, who "is not happy with her husband," but before we bestow all our sympathy upon her let us candidly inquire how far she has kept herself lovely and attractive, and if she is still the being who inspired the admiration and devotion she still demands. Is she as intent on keeping his love as she was upon gaining it? Or has she sunk to the level of common-place and given up all the graces which won his heart and made him once her slave? When they go out together into society, does she now look her brightest and best? Does she unshackle for the nonce the chain that binds her to domestic worries and grievances and endeavor to be to him her own old unmarried self, with the witcheries he so adored? Does she give him no cause to note that she compares unfavorably with other women in any of those attractions that first drew him to her?

A whispered word to the young wife who "is not happy"—forget your cares and humor your lord's weaknesses (for he had them), enter into his pleasures and let him see that all that gives flavor and piquancy to life need not be found elsewhere than in the society of his wife.

Man is but an incomplete thing without a helpmeet, in fact, only a moiety of a man, waiting to be perfected by the addition of a "better half."

The royalty of his nature remains undeveloped whilst he is single, but he needs the right sort of inspiration to complete his best side.

An idle and self-indulgent woman can never accomplish it, no matter how deeply he may love her in the beginning. It is the quality of unselfishness that he looks for in her, in its highest perfection, and inconsideration toward him in the struggle for a livelihood grows to be unpardonable in his eyes. Some of the happiest couples are those who have lived on modest incomes, fought the battle of life step by step, learned the lessons of life together and together suffered sorrow and enjoyed blessings.

SHE SHOULD WORK.

Young wives should ever be mindful of the fact that it is not in the nature of things that husbands, as a rule, can support wives without work. They need not be "drudges," but no true woman should ever be willing to feel that in ways which the "second partner" may always be invaluable, she does not at least earn her bread. She should have her employment carefully mapped out, for no woman is lowered by work, whilst idleness is never elevating.

The trousseau and the presents, the glitter of the enchanting surroundings, drive away the more serious thoughts which should fill the mind of the bride, but the rational future will be time enough for these. She sets out on her bridal tour feeling as if the world holds only two people, and it matters not where she goes, life is to be a long dream of pleasure in the society of the one with whom she has promised to spend it; but she knows not that her bridal trip is only a preface to her wedded life, and that in it, while she may read some suggestions, she has only the book open to her when she gets home after the honeymoon.

A TIN WEDDING.

The matrimonial fever has reached even those who have been married before, so there is no guaranty even for those already inoculated against the epidemic.

Golden and silver weddings, wooden and tin weddings, are almost as fashionable this season as the original ceremony, only they take the form of surprise parties or informal receptions. Such was the celebration of their "tin wedding," or tenth anniversary, by Mr. and Mrs. J. R. V. Daniel, on Wednesday evening, October 25th. An entirely impromptu gathering of friends drank their health and presented tin gifts and made merry with them as they had done ten years before. Several of the bridesmaids and groomsmen were present, among them Mrs. Scollay Moore, Mrs. B. B. Valentine, and Messrs. F. H. McGuire, Ashby Wickham, W. W. Archer, and R. A. Dunlop.

Mr. Rosewell Page read several original poems accompanying presents, one especially bright from New York, too lengthy to be given here, but worthy of publication.

One from our "home talent," however, appropriate to the present accompanying, suggestive of Poe's immortal "Bells," reads:

"Hear the tiny tinkling bells,
Wedding bells!
Ten years since they first rung out,
Telling with a joyous shout
Of the happiness awaiting
Those who then their lives were mating.
Now their tikling is of tin,
Though the sound be poor and thin;
Tells no less of wishes good,
Though less quickly understood,
And their tin—tin—abulation,
Heard by few of this great nation,
Still its tiny witness bears
To much love for them and theirs."

The decorations consisted of roses and chrysanthemums artistically arranged in tin cake-moulds and baking-pans, bouquets in tin funnels for holders—all wedding gifts.

Mrs. W. S. Daniel, Mrs. James Lyons, Mrs. W. W. Archer, Mrs. B. B. Valentine, and Miss Norma Walker assisted in receiving, and among those who called during the evening were Mrs. Kate Meade, Madame Guillaume, Miss Guillaume, Mr. and Mrs. Frank Isaacs, Mrs. Scollay Moore, Mr. J. L. Williams, Mrs. Thomas G. Peyton, Mrs. Randolph Peyton, Mrs. William L. Gravatt, Colonel and Mrs. John B. Purcell, Mr. and Mrs. Raleigh Colston, Mr. and Mrs. William Wirt Henry, Mrs. John Lightfoot, Mrs. W. Dashiell, Miss Nunor, Mr. James Alfred Jones, Mrs. Adair Pleasants, Mr. George Moncure, Mr. and Mrs. Josiah Ryland, Mr. and Mrs. M. W. Moncure, Mr. and Mrs. J. H. Dinneen, Mr. and Mrs. Charles H. Bosher, Judge and Mrs. James Lamb, Major Robert Stiles, Miss Douthat, Mr. and Mrs. Henry Taylor, Mr. and Mrs. Christopher Tompkins, Mr. and Mrs. Charles Davenport, Mrs. A. B. Camm, Misses Camm, Miss Patterson (New York), Miss Mamie Lee, Messrs. Wyndham R. Meredith, Beverley T. Crump, S. S. P. Patteson, Carleton Jackson, Overton Howard, F. H. McGuire, Rosewell Page, T. D. Williams, Eugene Massie, William Skelton, Ashby Wickham, and E. B. Thomason.

A BIRTHDAY PARTY.

A pretty birthday party was given by Master William Frazier in honor of little Miss Catherine Dickson, of Norfolk, on Wednesday afternoon between the hours of 5 and 7. Each little guest presented a gift with a grace worthy of imitation, and each bore away a birthday souvenir, in the form of a basket or box of bon-bons.

The table was tastefully decorated with pink carnations, and all the pretty accessories were in pink and white. Each child was seated, and enjoyed in comfort the dainties so bountifully served. After supper "Jack Horner's Pie" was arranged with its paper crust, through which the little people drew a string and "took out a plum," which was a toy suited to his or her taste.

The children who were present were Misses Gladys and Bessie Frayzier, Page and Annie Royall, Mary and Fannie Crenshaw, Marie and Nell Potts, Berta and Barbara Trigg, Catherine Dickson, Nancy Patton, Julia Joynes, Elizabeth Morriss, Lucy Ford Wortham, Dorothy Christian, Virginia Whitely, Ella Buck, Louise Kamp, Gwendoline Rutherfoord, Triplett Montague, Meredith Montague, Harvey and William Frasier, Chriswell Perkins, Erskine Buford, Robert Coleman Walker, Hobert Doyle, Lawrence Talbott, Willie Talbott, Cecil Stevens, George Stevens, Willie Trigg, Alex. Guigon, Hugo Hagan, Charlie Wortham, Henry Cowardin, Edloe and Talmage Donnan, Thomas Atkinson, and Willie Dickson.

Mrs. Allen Carrington and Misses Estelle and Mildred Hutcheson, of Houston, Tex., will spend the winter at Mrs. Duval's, Third and Franklin streets. The Misses Hutcheson are the charming daughters of Hon. J. C. Hutcheson, member of Congress from the Houston district.

HALLOW'EEN TEA.

The Ladies' Auxiliary of the Rosemary Library will give a charming entertainment on Tuesday evening from 6 to 10 at the rooms of the library, corner of Main and Second streets, to be called a "Hallow'een Tea."

The lenten teas of last spring will be remembered as successful and agreeable entertainments, and the ladies are desirous of increasing the circulating feature of the library, by this means, before the winter season. There will be an attractive tea served in the library-rooms, and the basement will be given up to the young ladies, who, under the leadership of Miss Mary Morris Jones, will arrange hallow'een games and amusements of varied kinds. A great deal of fun is promised to all who come to be amused or to help the cause.

The ladies who will decorate the rooms, serve refreshments and receive the guests are Mrs. Levin Joynes, Mrs. T. N. Carter, Mrs. Wyndham Meredith, Mrs. Arthur Seddon, Mrs. Dr. Oppenhimer, Mrs. E. T. Crump, Mrs. A. B. Camm, Mrs. W. S. Daniel, Mrs. Robert Rennolds, Mrs. W. W. Archer, Mrs. Samuel Travers, Mrs. Henry Taylor, Mrs. Chambers Davis, Mrs. E. A. Saunders, Mrs. Randolph Norris, Mrs. E. T. D. Myers, Jr., and Mrs. Everett Waddey.

The young ladies assisting Miss Jones in the games will be Misses Ellise Williams, Callie Ryland, Lelia Myers, Nini Myers, Mary E. Howard, Gertrude Howard, Bessie Addison, Roy Ellerson, Emma Gildersleeve, Nannie Lay, Virgie Brock, Gertrude and Annie Leigh Camm, Annis Howard, Mary McLeod Howard, Martha Bagley, and Parke Bagley.

A meeting of the Society of the Colonial Dames will be called on Saturday, November 4th, at 12 o'clock, by the president, Mrs. William Russell Robinson, who will designate the place for assembling and notify the members.

THE GERMAN CLUBS.

The Richmond German Club has reorganized with the following officers and patronesses, and will give its first entertainment on on Monday, November 20th: President, Mr. Thomas Atkinson; Vice-President, Dr. George Ross; Secretary and Treasurer, Mr. W. H. Grant, Jr. Committee—Mr. Jo. Lane Stern, Mr. Levin Joynes, Mr. Frank A. Davenport, Mr. John H. Lyons, and Mr. Saunders Hobson.

Patronesses—Mrs. Thomas Atkinson, Mrs. George Ross, Mrs. A. S. Buford, Mrs. Charles U. Williams, Mrs. Levin Joynes, Mrs. Thomas Bolling, Mrs. C. D. Langhorne, and Mrs. Alfred T. Harris, Jr.

The Tuesday Club reorganized on Wednesday evening with the following officers, and will give its first entertainment on Tuesday evening, November 28th: President, Mr. Levin Joynes; Secretary and Treasurer, Mr. P. H. C. Cabell. Board of Governors—Mr. Arthur S. Wiley, Mr. B. Stewart Hume, Mr. Deane Maury, Mr. Adolphus Blair, Jr., and Mr. H. A. Williams.

The lady patronesses are: Mrs. Levin Joynes, Mrs. A. B. Camm, Mrs. Allen Talbott, Mrs. James W. Allison, Mrs. W. Brydon Tennant, Mrs. E. T. D. Myers, Mrs. Egbert G. Leigh, Jr., Mrs. Charles Talbott, Mrs. Joseph Bryan, Mrs. James W. Walker, Mrs. Robert S. Bosher, Mrs. James T. Patterson, Mrs. William R. Trigg, Mrs. Frederick William Scott, and Mrs. R. Carter Scott.

PERSONAL.

Bishop Jackson is welcomed in Richmond by his old congregation and many other other friends.

Miss Virginia Mason is the guest of Mrs. Landon R. Mason.

The wedding of Mr. J. Scott Parrish, of this city, and Miss Edith Winch, of Boston, is announced to take place on the 6th of December. Miss Sallie Deane will be one of the attendants on the occasion.

Mrs. E. B. Addison and Miss Addison are at home.

Miss Bagby has returned, after a delightful summer spent at northern resorts.

Miss Alys Connally is the guest of Mrs. James Thomas.

Mrs. John Kerr Branch and family are at home.

Mrs. William Russell Robinson will be the guest of Mrs. Adair Pleasants on the 1st of November.

Mrs. Melville Jackson is rapidly convalescing, after a severe illness.

Miss Annie Leathers, one of Louisville's most popular belles, will be the guest of Mrs. James Walker early in November.

The Misses King, of Lynchburg, will be the guests of Mrs. Gideon Davenport next month.

Mr. Protor Welsh, of New York, has been the guest of Mrs. James B. Pace during the past week.

Mr. James R. Branch, Jr., has returned from Chicago, where he went to attend the Bankers' Convention.

Mrs. James Walker will give a reception in November in honor of her two sisters, Misses Bettie and Mary Hayes.

Mrs. James B. Pace, Mrs. H. M. Jackson and Miss Pace have returned to the city.

Misses Bland and Ellen Clark are in Chicago.

One weding to take place in the West-End is yet unannounced.

Mr. and Mrs. Richard Hardaway Meade will return from their bridal tour on Tuesday.

Mr and Mrs. John Stevens and family, of Castle Point, N. J., are at the Exchange Hotel.

Mr. and Mrs. Charles Davenport have returned from Chicago.

Mr. and Mrs. Lucien B. Tatum are at present in Chicago, and will start on the 1st of November for a tour through the Rocky Mountain States and to San Francisco for the winter.

Mrs. Ida W. Ellerson and her attractive daughter, Miss Roy Ellerson, have returned to the city.

Mr. J. R. Tucker, Jr., is in Chicago.

CHLOE.

LETTERS MARKED "RUSH."

An Attempt to Discover Why They Are Thus Treated.

It is a legend in the telegraph office that the sender takes a pile of messages, and, sorting out those marked "rush," puts them at the bottom of the pile. There is also a class of communicants that every newspaper office knows which marks its letters "rush."

It will never be known just what these writers expect, says the Minneapolis Journal. Possibly it is that when the letter is received by the post-office authorities the wheels of Uncle Sam's mighty engine for the distribution of mail will stop while the postmaster seizes his hat and rushes out to deliver the letter personally.

If anybody sees the postmaster tearing across town at breakneck speed, he may know that the postmaster is delivering a "rush" letter. Usually a letter marked "rush" bears a message somewhat as follows:

HASTY, Minn., September 11.—John Q. Montgomery died yesterday of old age. He will be seriously missed in our beautiful village. John L. Johnson raised a potato on his lower forty this year that weighed eighteen ounces. Frank Williamson was taken to the insane asylum yesterday.

Sometimes a man will send a letter marked "rush" containing a check or a postal order. Then it goes to the business office and is not opened, but sent to the news editor on the supposition that it contains news. The news-editor growls at the chump that sent it, and sends it back to the business office. And so a letter marked "rush" is usually delayed.

Women Seeking Positions Under the Federal Government.

(Special dispatch to the Baltimore Sun.)

WASHINGTON, October 26.—It is not an overestimate to say that Mr. Gorman is called out of his seat by twenty-five women every day, all asking for his aid in securing an office. Senator Gibson is called upon equally as frequent, and so are Senators Daniel and Hunton, of Virginia, and Faulkner and Camden, of West Virginia. Most of the callers are pretty girls, not long away from their mamma's apron strings, while others have passed the meridian of life. They are invariably accompanied by a companion, frequently by two. Senator Daniel, of Virginia, today encountered three at one time, all together in the marble-room of the Senate, but only one desired an office. She pleaded her case with eloquence, and then her two companions chimed in with appeals in her behalf. They all asked for an office which the Senator was powerless to bestow.

"I am always glad to help deserving women," said Mr. Daniel in conversing with a Sun representative after the departure of his three callers, "and it would afford me pleasure to give them all offices, but of course that is out of the question. And yet while I do all I can to help them—and I do so willingly and often at a great sacrifice of my convenience and appointments—I do not approve of this idea of women seeking office. I believe in the old southern idea—place the responsibility of the family upon the man. Let him be the provider and don't let the responsibility of support of the family be divided. But it is one of the incidents of the march of our civilization, this independence of women. While it is to be regretted in some of its bearings, I suppose we must accept the advance and do all in our power to help women to attain the independent position which they are striving to attain."

KILLED BY COMPETITION.

The Mule Couldn't Outbray the Whistle and Died of Grief.

"No," said the man with a straw in his whiskers, "no, you don't catch me shippin' no more stock on your steamboats."

"And why not?" asked the [illegible] agent, according to the Detroit Free Press.

"I done it once," was the reply. "I had a fine mule, worth $200, wanted to send him from Cincinnati to Louisville, put him on a steamboat that had one of them forty horse-power bass fiddle whistles on it with a snort and a screech at the end; mule went on the boat all right, but he was lonesome; got to brayin'; had a bray on him that he was proud of; brayed till the passengers organized a committee to wait on the captain; captain couldn't do a durn thing; he'd contracted to deliver the mule in Louisville, unless the boat busted the biler; the biler wouldn't bust, and the mule kept on brayin'; about midnight the boat was goin' to make a landin'; pilot pulled the string and the whistle began to blow; mule stopped brayin' soon's the whistle started and cocked up his ear to listen; listened a minute; tried to bray; didn't know whether he was brayin' or not for that durn whistle; tried again; whistle kept on; then it gave a short and a screech, and bust my buttons if that mule didn't give one look of disappointment and grief, and drop dead right on the deck. No, siree; no more shipping fer me shippin' stock on," and he went out to find a railroad freight train.